

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Milton I. Shadur	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	02 C 7028	DATE	10/29/2002
CASE TITLE	Leonard Meschino vs. People of the State of Illinois		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

MOTION:

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DOCKET ENTRY:

(1)	<input type="checkbox"/>	Filed motion of [use listing in "Motion" box above.]
(2)	<input type="checkbox"/>	Brief in support of motion due _____
(3)	<input type="checkbox"/>	Answer brief to motion due _____. Reply to answer brief due _____
(4)	<input type="checkbox"/>	Ruling/Hearing on _____ set for _____ at _____
(5)	<input type="checkbox"/>	Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____
(6)	<input type="checkbox"/>	Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____
(7)	<input type="checkbox"/>	Trial[set for/re-set for] on _____ at _____
(8)	<input type="checkbox"/>	[Bench/Jury trial] [Hearing] held/continued to _____ at _____
(9)	<input type="checkbox"/>	This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to] <input type="checkbox"/> FRCP4(m) <input type="checkbox"/> Local Rule 41.1 <input type="checkbox"/> FRCP41(a)(1) <input type="checkbox"/> FRCP41(a)(2).
(10)	<input checked="" type="checkbox"/>	[Other docket entry] Enter Memorandum Order. Accordingly the Opinion is modified to the extent the Meschino is ordered to pay the sum of \$5 (and not \$150) as a filing fee for this already-dismissed action, and a copy of this memorandum order is being transmitted to the Cook County Department of Corrections so that it can remit that amount out of Meschino's jail trust fund account.
(11)	<input checked="" type="checkbox"/>	[For further detail see order attached to the original minute order.]

<input type="checkbox"/>	No notices required, advised in open court.	<i>Mailed to Cook Ctn Trust Fund</i> <i>10/29/02</i> <i>SC: [initials]</i> <i>10/29/02</i> <i>on</i>	number of notices	Document Number <div style="font-size: 48pt; text-align: center;">5</div>
<input type="checkbox"/>	No notices required.		OCT 30 2002 date docketed	
<input checked="" type="checkbox"/>	Notices mailed by judge's staff.		6-4. docketing deputy initials	
<input type="checkbox"/>	Notified counsel by telephone.		10/29/2002 date mailed notice	
<input type="checkbox"/>	Docketing to mail notices.		SN	
<input type="checkbox"/>	Mail AO 450 form.		mailing deputy initials	
<input type="checkbox"/>	Copy to judge/magistrate judge.			
SN	courtroom deputy's initials	Date/time received in central Clerk's Office		

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOCKETED

OCT 30 2002

LEONARD MESCHINO #20020040851,)
)
Plaintiff,)
)
v.)
)
PEOPLE OF THE STATE OF ILLINOIS,)
)
Defendant.)

No. 02 C 7028

MEMORANDUM ORDER

In conjunction with this Court's sua sponte dismissal of the action that had been brought pro se by Leonard Meschino ("Meschino") under the above caption and case number, its October 4, 2002 memorandum opinion and order ("Opinion") complied with the mandate of 28 U.S.C. §1915 ("Section 1915") by ordering Meschino to pay the \$150 filing fee in installments as required for all prisoner litigation. Now Meschino has filed another self-prepared document, this one captioned "In Response to Memorandum Opinion and Order--Motion To Reconsider Filing Fee." Based on Meschino's current filing, this Court will give him the benefit of the doubt (a considerable doubt, to be sure) by reducing his filing fee obligation to the modest \$5 amount that applies to federal habeas corpus actions.

As the Opinion made plain, it was really an understatement to characterize Meschino's original filing of this action as "a hodgepodge of assertions against what appear to be several targets" (Opinion at 1) and as posing a situation of "chaos"

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(id.) in legal terms. On that score this Court was compelled, because Meschino had not done so, to try to draw some order out of what he had submitted (among other things, his filing never really identified his claim for relief).

Now Meschino contends that his initial filing "would more clearly be entitled to habeas corpus petition." Because it is certainly true that Meschino had never really made clear just what he was trying to accomplish through the federal court system, this Court will accept that belated attempt on his part to characterize his original effort. Accordingly the Opinion is modified to the extent that Meschino is ordered to pay the sum of \$5 (and not \$150) as a filing fee for this already-dismissed action, and a copy of this memorandum order is being transmitted to the Cook County Department of Corrections so that it can remit that amount out of Meschino's jail trust fund account.¹



Milton I. Shadur
Senior United States District Judge

Date: October 29, 2002

¹ That remittance should be sent to this District Court's Clerk's Office Fiscal Department at 219 South Dearborn Street, Chicago IL 60604. It should also reflect Meschino's name and the case number (02 C 7028) so that the Clerk's Office may credit the payment correctly.